



Home of the Tualatin River National Wildlife Refuge

**SHERWOOD CITY COUNCIL MINUTES
22560 SW Pine St., Sherwood, Or
May 7, 2013**

WORK SESSION

- 1. CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 5:30 pm.
- 2. COUNCIL PRESENT:** Mayor Bill Middleton, Councilors Robyn Folsom, Matt Langer, Krisanna Clark. Councilor Bill Butterfield arrived at 5:32 pm, Council President Linda Henderson arrived at 5:40 pm. Councilor Dave Grant was absent.
- 3. STAFF PRESENT:** Joseph Gall City Manager, Tom Pessemier Assistant City Manager, Julia Hajduk Community Development Director, Craig Gibbons Finance Director, Bob Galati City Engineer, Craig Sheldon Public Works Director, Kristen Switzer Community Services Director, Police Chief Jeff Groth, Craig Christensen Engineer Associate, Brad Kilby Planning Manager, Julie Blums Accounting Supervisor, Colleen Resch Administrative Assistant, and Sylvia Murphy City Recorder.
- 4. OTHERS PRESENT:** Brian Bailey Sherwood High School Associate Principle, Ray Pitz with the Sherwood Gazette, Fenit Nirappil with the Oregonian and Cam Durrell with the Woodhaven Homeowners Association.
- 5. TOPICS DISCUSSED:**

A. Permit Parking Near High School:

City Manager Joseph Gall introduced the issue and said Chief Groth and Craig Sheldon will brief the Council on issues with students parking in residential areas near the high school. Mr. Gall stated neighboring cities of Tigard, Tualatin and Newberg have similar programs. He stated staff is looking for Council direction on creating a program. Craig provided maps of the neighborhood near the high school (see record, Exhibit A). Chief Groth explained the issue as an ongoing issue most prevalent in the Woodhaven area. He explained parking permit processes implemented in Tigard and Tualatin and explained his recommendation for Sherwood's code language. Craig Sheldon briefed on approximate cost of \$19,000, discussion followed regarding who covers the cost. Chief Groth spoke of recommended code changes and Council discussed the HOA being part of the process.

Discussion occurred regarding the School District involvement and receiving information on whether or not there is sufficient parking provided at the high school. Chief Groth explained program implementation and said Sherwood's program would be easy to implement and enforce. He provided information on code violation type and ticketing process.

Cam Durrell with the Woodhaven Homeowners Association explained issues resulting from students parking in the neighborhood; littering, drug use, homeowner's trashcans being moved, street sweeper unable to access streets, cars parked on top of leaf piles not allowing for City leaf pickup.

The Council discussed the growing student population and current high school parking lots. Council reviewed the maps and discussed the current parking issues and potential of this issue expanding further into the neighborhoods with a permit process implementation closest to the school. Council discussed notification and homeowner approval of permit parking process. The Council discussed the no-parking signs that were not installed at the time of neighborhood development. Also discussed was lack of access to neighborhood streets by emergency, postal and trash hauling services, due to parking on both sides of a street.

Brian Bailey Sherwood High School Associate Principal explained the number of parking spaces available, number of permits issued, cost of permits and permit proceeds going towards grounds maintenance. He explained permit issuing process is on a first come first serve basis, priority given to seniors, he explained their policy of selling permits for the 249 parking spaces available. He informed the Council after evaluation of empty parking spaces due to sick kids, absences etc, they oversold in an attempt to fill the parking spots. He further explained their permit issuing process. Discussion followed regarding if the school supported the permit parking. Mr. Bailey informed of his experience with permit parking at other schools, and concerns of enforcement. He informed of issues regarding moving the student behavior further from the school and the behavior not changing substantially. He commented regarding issues with trash, loitering, and other non-parking related issues. Mr. Bailey asked how would the school district partner with the City for enforcement, and was informed the Sherwood police department would enforce.

Council discussed impacts to the police department with enforcement. Chief Groth indicated there would not be any additional impacts as they already patrol this area. Council discussed the language of the street signs indicating the timeframe of parking/no-parking. Council discussed concerns for the students having a place to park, concerns for property owners, and having a plan to address overflow-parking issues. Discussion occurred regarding staff working on the details, working with the school district and HOA and coming back to the Council with a proposed program.

Discussion occurred regarding developing and offering incentives to students for carpooling.

The Council conceded to have staff move forward.

B. Future of Sherwood's Budget:

Mayor Middleton explained he spoke with some of the Council members regarding wanting to focus on where the City is going with the budget and feeling they did not have direction on where the City was headed with ability to fund programs. He stated the Council members he spoke with wanted to come up with 3 scenarios they can provide to the City Manager for him to see which one he can make work. He said we all have different thoughts and ideas on how the budget needs to be put together and said he was not impressed with the budget committee meeting process and it did not meet their objectives. He stated they are bringing forward three plans to work on as a Council to allow for a philosophy going into next year's budget, allowing for the City Manager to identify one of the three plans that will work.

Mayor Middleton stated he spoke with a few of the Councilors about putting \$300,000 this year back into park maintenance and purchasing the financial software program. He said we need to keep park maintenance going and in speaking with Craig, it's a building problem. He suggested looking at the budget and changing things around.

Councilor Folsom expressed concern with disenfranchising the Budget Committee Citizen Members and stated this conversation should have occurred with the full budget committee members. Discussion occurred regarding questions asked and understanding the dialog at the budget committee meeting and lack of questions from the citizen members. Comments were made about respecting the time and efforts of the citizen members and appreciating their efforts and the ultimate decision falling on the Council to address the concerns of the community.

Council discussed the budget committee meeting and not hearing specific questions to staff inquiring about the budget, and wanting an open discussion on a specific item and or expressing concerns.

Councilor Butterfield stated his concern is he knows staff needs and wants direction and he is trying to encourage us to do that, to get together and figure out what the needs are and provide direction.

Discussion occurred regarding doing this for next year's budget process and Mayor Middleton indicated he wanted it for this year, Councilor Butterfield responded he did not think it could happen this year.

Councilor Folsom stated, in trying to clarify one of the objectives, Council would like to see staff find \$300,000 to put back into park maintenance. Councilor Butterfield said whether it's that or something else, this is something staff can work with. Councilor Folsom asked if we should have done this in the Council's Goal Setting process. Councilor Clark replied we did not hear from Craig (Public Works Director) that the parks were going downhill. She stated we have now heard this from Craig and we see in the horizon that we have these issues with parks. She asked what are we going to do about it, push it further out until it actually falls.

Councilor Folsom commented that she thought it was addressed very well when we closed the process at the budget committee, that we have to get together and work on a strategic plan. She said she is completely onboard with that.

Discussion occurred regarding discussions at the budget committee meeting and comments received by the Mayor and committee Chair and what was heard and understood by Councilor Folsom. Councilor Folsom gave examples of the conversation.

Mayor Middleton stated his concern is we don't address a park this year and next year it's two parks and said if we don't have a constant plan to take care of our parks we are going to have a new facility coming in across the street and we will not have any money for that. He commented that we will have to put in the budget, maintenance for that. He said he thinks, in this year's budget, which he looked at line by line, we could come up with the money to take care of the park.

Councilor Langer stated his understanding is we have a certain budget right now and we heard the two problems, particularly the park and while we understand we will probably not make the \$300,000 right now, we could do something. And at the same time, we all feel it's very important we come up with a plan for addressing these two needs. And in the short term, from some of the things we fixed

in the last couple of years, particularly the sidewalks along Edy Road, we could probably figure out a way in the budget, maybe this year, to address the worst park and then get a strategic plan on how we are going to take care of the parks and a strategic plan on how we are going to address the officer. He said we know we can't solve it in a meeting or two and it's going to take several months.

Mayor Middleton said he thinks we can come to an agreement that we fix the one bad park and we get the program for the computers.

Councilor Folsom stated she remembers that and agrees, and doesn't think this process at all disenfranchises the budget committee because it's the same thing we did when we decided to go and repair the turf this year. Mayor Middleton responded ok. Councilor Folsom added it's strategic and we have to deal with it.

Councilor Butterfield stated it's beyond the budget committee and Council members agreed that it's their decision. Mr. Butterfield added now is the time to get strategically planning, whatever the issues are.

Mayor Middleton stated we need to start this year as next year it's going to come in as twice as much. Councilor Folsom replied she completely agrees.

Councilor Henderson asked to clarify and asked, did you just agree to change this year's budget by \$500,000.

Councilor Folsom replied no, and said I think what we all talked about was informing the City Manager, we don't want to wait until 2014-15 and watch our parks fail, can you help us through this year find some money for the park and find money for the computer accounting software and bring us some options, and this is something we can do as we go along. She stated she appreciates the idea. She said the other thing is looking toward next year's budget process and why not make it a constant conversation.

Councilor Henderson stated she wanted to give credibility to staff and when staff started this budget process, we had an \$800,000 deficit, combined and everyone had to give something up and said she did not want to negate, that everyone gave up something, it wasn't a first pass budget. She commented she believes the Budget Committee and herself trust staff and believes we have challenges moving forward because we have growing costs without growing revenues.

Councilor Butterfield commented regarding not waiting for the budget committee to convene and start thinking about the budget today and where we need to go.

Councilor Henderson stated at times we are able to do things midyear because of savings in projects or things not getting done. She commented regarding the Council goal of being at 20% of our contingency in the general fund and we are currently at 27%. Councilor Henderson commented regarding previous administrations and negative contingencies.

Finance Director Craig Gibbons commented regarding the amount of work that went into the budget process and reminded of the comments made at the end of the budget committee meeting that staff wanted to begin meeting next month to develop a strategic plan so next year when we put together the budget it will reflect 6-7 months' worth. Craig commented regarding the budget committee's past

being dysfunctional and staff working very hard to make the committee functional and asked the Mayor to respect the work done by staff. Mayor Middleton replied we did not get any answers and he is not challenging staff on this, and said he has a responsibility to the citizens and you (Craig) responds to the City Manager, and said he did not see any solid questions being answered at the budget committee meeting, and although it's a balanced budget, there are other areas we could have moved money around. He stated he has worked for the City for many years and knows how to do a budget and functional or dysfunctional we will work together, but they have to come to the table as well. He asked, did we get any good solid questions. Discussion followed with staff receiving and responding to questions in written form, but not at the meeting for the public to hear during comments.

City Manager Gall stated he hears what people are saying and there are two things; you would like to see for the June budget...Mayor interrupted and said we want to start...Gall continued and said for him to figure it out with staff and come back with some savings. Mayor interjected and said we trust you to do it. City Manager Gall stated more importantly he wanted to hear from the Council, and said he gets it, he knows what the Council is looking for and stated he wants them to be concerned about the future.

Councilor Folsom clarified with City Manager Gall, on him providing a balanced budget, that he did not spend more than he took in. He confirmed this was correct.

Councilor Folsom stated she had been thinking of the budget and she did not want to add any more fees and wants to figure it out with the money we have.

City Manager Gall commented that he was looking for direction from the Council as a body of seven and the citizens, what they want. When he comes back to the Council in June, to have options to fund the park, to figure it out as we aren't going to wait a year. Councilor Butterfield replied this is just one issue. Open discussion continued on how to get there, items staff gave up to be able to present the balanced budget and others items given up by staff that the Council may not be aware of. Discussion occurred about staff listing out what they were giving up and Craig Gibbons reminded the Council these lists were included in the staff memos provided to the budget committee.

C. Council Rules – Time clock for Non-agenda Speakers:

Council discussed increasing the time limit from 4 minutes to a suggested 7 minutes. Discussion occurred regarding responding to speakers and engaging in dialog and exceeding the 4 minute limit. Council discussed the 4 minute limit and if this was a sufficient amount of time to effectively deliver a message to the Council. Discussion occurred and Council conceded to not change the time limit.

D. Brucker Fee Request:

City Manager Gall explained the issue and the staff recommendation previously provided to the Council to not wave fees. Community Development Director Julia Hajduk informed the Council of the total fee of \$2940 and briefly explained the modification details of Mr. Brucker's project. She informed of the stop work order issued by the building department. Discussion occurred regarding project specifics and whether or not Mr. Brucker followed City processes, having knowledge of processes and circumventing processes. Council discussed examining City fees and setting precedence when allowing for refunds. Julia explained recent code clean up and minor and major modification process

language and explained the purpose of the fee. Brad Kilby, Planning Manager commented regarding old town standards and provided examples. Discussion occurred regarding scheduling future Council discussion on old town policies and standards and fees. Julia briefly explained the old town standards and history of the code language. City Manager Gall reminded the Council that decisions are not made in work session but can be made in open session.

6. ADJOURN:

Mayor Middleton adjourned the work session at 7:00 pm and convened to a regular meeting.

REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER: Mayor Bill Middleton called the meeting to order at 7:03 pm.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

4. COUNCIL PRESENT: Mayor Bill Middleton, Council President Linda Henderson, Councilors Robyn Folsom, Bill Butterfield, Matt Langer and Krisanna Clark. Councilor Dave Grant was absent.

5. STAFF AND LEGAL COUNSEL PRESENT: City Manager Joseph Gall, Tom Pessemier Assistant City Manager, Julia Hajduk Community Development Director, Craig Gibbons Finance Director, Bob Galati City Engineer, Craig Sheldon Public Works Director, Kristen Switzer Community Services Director, Police Chief Jeff Groth, Craig Christensen Engineer Associate, Brad Kilby Planning Manager, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Heather Martin.

Mayor Middleton addressed the Consent Agenda and asked for a motion.

6. CONSENT:

A. Approval of April 2, 2013 City Council Meeting Minutes

B. Resolution 2013-020 Reappointing Brian Stecher to the Parks & Recreation Advisory Board

C. Resolution 2013-021 Reappointing Luther Vanderburg to the Parks & Recreation Advisory Board

MOTION: FROM COUNCIL PRESIDENT LINDA HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR ROBYN FOLSOM, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR DAVE GRANT WAS ABSENT).

Mayor Middleton addressed the next agenda item.

7. PRESENTATIONS:

A. Scout Recognition

The Council recognized Caleb Lindgren for receiving his Eagle Award and asked Caleb to give a description of the project that earned him the award. Caleb explained that Magness Tree Farm, south of Sherwood, is building trails to a waterfall. He helped build a 300 foot trail along a creek, using

gravel with garden fabric and a border. Mayor Middleton asked how long it took to complete the project. Caleb stated it took a few months to plan and 2 Saturdays to complete. Councilor Folsom congratulated Caleb and noted that he was only 14 years old, which is very young to receive an Eagle Award. Mayor Middleton thanked Caleb for his service and presented him with a Certificate of Achievement.

The Council recognized William Karceski for receiving his Eagle Award and asked William to give a description of the project that earned him the award. William said his project was at the Good Neighbor Center in Tigard, a homeless shelter for families. He built seven double size bedframes. He said he spent two Saturdays designing and building the frames, including staining and sanding them, and on one Saturday delivered the frames. Mayor Middleton thanked William for his service and presented him with a Certificate of Achievement.

Mayor Middleton stated that this community would not be what it is today without these projects.

Mayor Middleton addressed the next agenda item.

B. Recognition of Liam Kliever

Liam Kliever's family came forward and his mother explained that he was born 11 weeks premature, very ill, and required life support measures for an extended time. She said Liam took it upon himself to find out what organization funded his life support. He found out it was the March of Dimes and started a fundraiser for the organization and became an ambassador for the organization.

Mayor Middleton stated he was proud of Liam for starting so early and giving back to his community.

Council President Henderson noted that her children's school participated in the charity and this was a positive project to help a local child raise funds. She stated their school won the fund raising contest and commented regarding the impact to her child considering a younger child started the project.

Councilor Clark stated that her children also participated in the charity and realized that competitive giving is good.

Mayor Middleton thanked Liam for his service and presented him with a Certificate of Achievement.

C. Proclamation National Police Week

Mayor Middleton asked Chief Groth to present the proclamation. Chief Groth stated that Congress and President of the United States have designated the week of May 12 through May 18, 2013 as National Police Week and said it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their police department. He stated law enforcement is one of the few chosen professions that require the willingness to lay down one's life to protect others and they deserve to be recognized for the dedicated service they provide.

D. Proclamation National Public Works Week

Mayor Middleton asked Public Works Director Craig Sheldon to present the proclamation. Craig stated that the week of May 19 through May 25, 2013 has been designated as Public Works Week, which recognizes water, sewer, streets, public buildings and solid waste collection as a vital

importance to the community. He stated this year there will be events at Edy Ridge Elementary and Hopkins Elementary, with the 3rd grade classes, showcasing the role of public works.

Mayor Middleton thanked both the Police Department and Public Works Department for their service and addressed the next agenda item.

E. Tualatin National Wildlife Refuge

Erin Holmes, Project Leader of the Tualatin National Wildlife Refuge (TNWR) approached the Council and explained that the refuge is part of the US National Fish and Wildlife Service under the Department of Interior. Erin manages the Tualatin River National Wildlife Refuge, which is a system of over 500 wildlife refuges throughout the country. She stated that Tualatin River National Wildlife Refuge (TRNWR) is unique in that it exists because of the community efforts that began in 1992. TRNWR currently has 2200 acres with an acquisition boundary of 8000 acres. She stated TRNWR just completed their Comprehensive Conservation Plan. The plan outlines the importance of wildlife and habitat, but since Tualatin is an urban refuge, the main focus is people and education. Erin noted the importance of getting people outside and said the refuge is planning to offer fishing in the future. She stated the most important mission is environmental education, and mentioned that TRNWR just hosted an alternative outdoor school program for Sherwood students. Currently, TRNWR has over 100,000 visitors a year, and last week they hosted 14 wildlife conservationists from Africa. She stated they are focusing on diversity and non-English cultures and groups and this year they will be providing Spanish and Russian materials. Ms. Holmes stating that it's importance for them to be part of the City and is looking to the Council for ideas of partnering with Sherwood working on environment and education and an invasive species program. Ms. Holmes commented regarding the importance of working on invasive species including Nutria at Stella Olsen Park and the refuge wanting to provide expertise and help. Ms. Holmes offered their support on trails and grants.

Councilor Folsom mentioned that we are one of only 10 urban wildlife refuges in the Nation. She commented regarding events at the refuge including a night hike around Halloween. She stated she is very grateful for the refuge and the programs and commented regarding the people who made this refuge possible 20 years ago who had a great vision.

Erin Holmes stated they have been in national magazines and shared a photo they posted on twitter and informed on the number of hits it received. She announced the upcoming Bird Festival on May 18, 2013, and a Creatures of the Night event for Halloween. She stated the refuge has their first bald eagles nest with chicks and encouraged people to come out and visit the refuge.

Mayor Middleton thanked Erin and encouraged everyone to visit the refuge, Erin stated the trails opened May 1st.

Mayor Middleton addressed the next agenda item.

8. CITIZEN COMMENTS:

Mayor Middleton stated before receiving citizen comments, City Manager Gall wanted to make a brief statement, and then he would make a brief statement.

Mr. Gall stated that he believes most of the audience is here due to the Walmart announcement and want to testify during the non-agenda period. He asked Community Development Director Julia

Hajduk to give a brief overview of how we got here and said although this came as a big surprise to many of our citizens, and we have heard since the announcement, that a lot of citizens did not know this was on the horizon. He stated this has been a long process and wants Julia to inform of the process and the criteria the City uses when making land use decisions.

Julia Hajduk stated there has been some confusion already with the project name of Sherwood Town Center, which should not be confused with the Sherwood Town Center Planning effort currently happening, which happens to be adjacent to the current development.

Julia stated the Langer property is zoned light industrial, however it received planned unit development (PUD) approval in 1995 as part of the larger Langer Farms PUD which allowed the commercial use as proposed. She stated other portions of the Langer Farms PUD include the development of the Target site, Arbor Terrace Subdivision, apartments around that area.

The Council re-affirmed that these commercial uses were allowed in a preexisting PUD with the light industrial zoning in 2007 when they approved a minor modification to the PUD relating to the phasing of the remaining development portion. In July of 2012, Gramor Development submitted an application for site plan approval for the commercial development for 190,000 square feet of retail space, including a 145,000 square foot general retail tenant. Julia stated the applicant did not indicate who the tenant was nor did they have too. They only indicated that it was a 145,000 square foot general retail pad. The zoning code lists the type of uses allowed and our reviews are based on that. Julia provided the example of, if somebody wanted to put in a 5000 square foot oil change facility, the City would not need to know if it was a Jiffy Lube or an Oil Can Henry's, we review the material based on the use. The City does not have the authority to determine which businesses are able to locate in the City. The City can determine the types of uses that are allowed in certain areas and can prescribe standards, such as building design, parking, landscaping, access, building height, etc that can help ensure that it functions well within the community. The application materials allowed the City to review for these standards and to ensure compliance with the code requirements.

Julia spoke of the process that was followed when the application was submitted in 2012; after a review of the application materials for completeness, we send notice to the public and affected agencies for review and comment. Public notices are mailed to property owners of record based on the tax assessors record data, within 1000 feet of the project. In addition, notice is published in the Gazette, the Times, posted on the public notice boards at the Library, City Hall, Senior Center, Albertson's and the YMCA, and on the site.

She stated the Planning Commission considered the matter over the course of three public meetings on September 23, a continued meeting on October 23 and a meeting on November 6, 2012. During the course of the hearing, the record was left open on two separate occasions to receive addition evidence. The Planning Commission deliberated and decided to conditionally approving the proposal after considering the public testimony and the evidence, and based their decision to approve the development on the findings of the project. The decision became final on November 26, 2012, when no appeals were filed to the City Council. She stated the applicant must still obtain the necessary building and engineering permits for construction and must comply with the conditions of approval of the decision it's based upon. Julia stated the City website has additional information on the Walmart proposal as well as links to the decision, and all the materials that were placed in front of the planning commission. Julia offered to answer questions.

City Manager Gall stated as the Council receives testimony, if they have questions as Council members for the staff, we are here to answer those questions.

Mayor Middleton reminded the public to fill out the testimony forms and include a name and address and stated he would call people forward based on the order the forms are received. He encouraged the public to testify and refrain from personal attacks, he said the Council will not be responding, they will be listening and taking in information and reviewing that information along with staff. He commented regarding being a cohesive Council, being here to listen to the public and encouraged public testimony. He reminded the public of the 4 minute limit on providing testimony and requested that no personal attacks be made.

Councilor Folsom confirmed with Julia Hajduk that the developer was not required to reveal who the tenant was, it was about the use, and the Planning Commission and the Council did not know who the tenant was until it was released to the public. Julia confirmed this was correct and said it was not revealed to the public until this last Monday. She stated there was speculation at the planning commission meeting, but it was speculation of several potential tenants and those were discussed. She stated they are not required to say and in fact, in Tigard where there is also a Walmart going in, it was originally proposed and approved as a Target. She said the uses are basically the same. She stated we look at the use and how the use fits with parking, set-backs and traffic and not the specific user. Councilor Folsom confirmed that the Council, as a legislative body, can only speak to "use", we cannot control who the user is. Julia confirmed this was correct and gave an example of not being able to select one specific business over another.

With no further questions, Mayor Middleton asked to receive Citizen Comment.

Tammy Steffens, 23617 SW Voss, Sherwood approached the Council on behalf of the Sherwood High School Booster Club and informed of a fundraiser. She stated their fundraisers are more important than ever with recent budget cuts. She stated in the last two years the athletic budget has been cut by over \$140,000. She said this particular fundraiser raises about \$6000 in one day and will be on Saturday, May 18, 2013, from 9 am to approximately 3 pm, in the Sherwood High School parking lot. She stated the Booster Club partners with Newberg Ford and the Booster Club receives \$20 for every test drive. She encouraged people to come down and encouraged employers to allow their employees time off to come down. She stated the Booster Club supports all athletic teams at the high school, freshman through senior, boys and girls for all seasons. Ms. Steffens explained the Booster Club can raise a maximum of \$6000 and if they reach this limit prior to 3pm, the event will conclude when the limit is reached.

Mayor Middleton confirmed with staff there was sufficient time to get the information on the bulletin, and Ms. Steffens offered to send the information to staff.

Councilor Clark commented that she had previously participated in this fundraiser and said it's very fun and could not be an easier fundraiser. She shared her experience, stated a booster club member accompanies the test drive and said there is no pressure, and it is very family friendly.

Robert James Claus, 22211 SW Pacific Hwy, Sherwood approached the Council and stated he has never heard such a falsified public record as he's heard tonight. He commented regarding the Langer's being in probate court, commented regarding the property being light industrial, and the Langer's stating they could not do anything with it due to value of square footage. He commented

regarding previous actions of the Council turning it into a PUD, with open zoning by referring it back to the original zoning, none of which others operate under. He commented regarding the Council giving the Langer's a free ticket to do what they wanted. He commented regarding a 10 million dollar gain with Walmart. Mr. Claus stated his problem is no one knew it was Walmart, he commented regarding prior Mayor Mays chasing Walmart off the Shannon and Broadhurst properties and drove Walmart to Langer's property. Mr. Claus commented regarding the Council selling zoning and not representing the citizens. Mr. Claus commented regarding the planning commission not having a choice because the Council used earlier rules, not allowed by others to use. Mr. Claus commented regarding the presence of the Sherwood Police Chief at the Council meetings, dressed and armed and commented regarding the police presentation at the budget committee meeting requesting additional officers. He commented regarding the profile of Walmart in comparison to the profile of Target and their profiles being very different. He commented regarding the Council slipping this under the mat, and covering the loss of urban renewal funds. He commented regarding the Council having an orphan routine, commented regarding high density parking, he commented regarding the police request for more police officers due to more accidents because of Walmart. Mr. Claus commented regarding the 4 minute speaking limit imposed by the Council and they having information overload, and the Council shutting down information.

Mayor Middleton reminded the public to refrain from personal attacks and to stay focused on the issue.

Amanda Stanaway, 16103 SW 2nd Street, Sherwood approached the Council and stated that she has been a residence since 2001 and has recently begun getting involved. She stated she was not aware of the Walmart until she read about it in the Gazette. She stated it is difficult for her to swallow that Mr. Langer is the developer and sits on the Council. She stated Walmart is the worst picture of what America is today, it degrades our culture and our communities. She commented regarding times when people are going into communities and blowing up things and said it's very hard to watch. She commented regarding wanting a better future for her kids, commented regarding the financial gain of Mr. Langer and his family leaving the community when his kids are out of high school. Ms. Stanaway stated it's very disappointing and has invited her neighbor's to come, she commented regarding the community uniting over this issue and as parents they should be at home with their kids. She commented regarding the placing of granite in the roads at the replacement at the taxpayers' expense. She informed the Council of the homeless problem in Sherwood and her home currently open to three homeless children.

Lori Stevens, 15630 Farmers Way, Sherwood approached the Council and stated she echoes the previous comments and said it's not the development that people have protested, it's what went into the development. She commented regarding understating the rules of not having to disclose the tenant, but unfortunately it's Walmart and we have no choice but allowing it to come in. She stated Walmart is the worst of this country and is being protested in every city they try to build in. She commented regarding still having protesters in Raleigh Hills, said they are not welcome, they outsource overseas to sweatshops with people earning less than \$38 a month. She stated they are not controlled warehouses or sweatshops and said 212 people died in Bangladesh this year in a fire, Walmart contributed towards this in an indirect way. She commented regarding traffic and said she lives off Langer Parkway and said the roundabout is a joke, she said people have jumped the curb, bikers have been hit and people don't understand the two lane circle and said to bring this much traffic down a two lane street is ridiculous. She commented regarding the current issues with Tualatin Sherwood Road and the thought of putting a 145,000 square foot big box, with six restaurants and an unknown number of parking spots and traffic, off a two lane road that has the worst traffic at any time

of day, is ridiculous. She stated she was aware of the police asking for more staff and Walmart will bring more crime, more accidents, more thefts, more foot traffic of all kinds of different populations and this is not ok. Ms. Stevens stated she understands the Council does not make the decisions and referenced the audience as proof of the community's strong feeling against what comes into the community. She commented regarding building her home in 1996 with a population of 8000 and watching the growth with Home Depot, an Ice Arena and a 10 screen cinema and not needing another big box, especially not Walmart.

Richard Rementeria, 17210 SW Green Heron Drive, stated he has been a resident since 1996. He stated he hopes people appreciate the fact that the Langer's are a family that have lived here when Sherwood had 2000 people and believes they have the right, have earned the right, to do what they want with their land as long as it falls within the zoning regulations. He commented regarding the American dream where hard work pays off. He stated his concern is people feel that Walmart's type of customers are not Sherwood's type of people and stated he is not sure where "these people" are coming from as Tigard will have their own Walmart. He stated this store is slightly larger than Target and the exact same size as the new Fred Meyer in Wilsonville. He stated he suspects the people that are upset about this would not be upset if it were a Fred Meyer. He stated he would have preferred a Bass Pro Shop and said he doesn't believe that people have a clear logical, unemotional reason for opposing this use. He said he doesn't understand how the traffic would be a bigger issue with a Walmart versus a Fred Meyer, maybe more customers per square foot. He commented about residing off Roy Rogers and seeing all the traffic and believes most of it are people passing through Sherwood. He commented regarding Walmart not being his personal choice and wanted to remind people to not be so hard on our fellow citizens. He commented regarding people presuming with the lack of support for Walmart that the shoppers would be from out of town only.

Amelia Stanaway, 16103 SW 2nd Street, Sherwood approached the Council and commented regarding Walmart and said Sherwood's businesses will have negative problems and this is very bad. She Said Walmart does not pay their employees a living wage, paying them less than what it costs to live and people going on welfare. She stated when people go on welfare this is not good for the community or government and when Walmart comes it will destroy our community.

Victor Polanco, 16464 SW Cornus Court, Sherwood approached the Council and commented regarding the Walmart announcement and said Walmart used to be his favorite store until he saw a documentary showing terrible living conditions in Asia and other countries, where people receive low wages and are not feed much. He said it doesn't cost Walmart that much to make a shirt and they sell it for a lot more than they pay into it. He said the employees in America aren't paid much and have to receive state medical and dental care because Walmart's is too high and they aren't paid enough to afford it.

Dean Boswell, 22796 SW Lincoln Street, Sherwood approached the Council commented regarding his worldly travels and living in many areas and said every community he has seen with a Walmart has ended tragically. He gave the example of Woodburn and their gang and drug activity and his prior experience of watching this type of activity and said these are the types of people that live near Walmart in Woodburn. He said he has lived in Sherwood for 10 years, longer than any other city. He has children in Sherwood schools and friends with Sherwood businesses, friends who reach out to the elected officials to help with small businesses. He commented regarding lack of parking and the reconstruction of downtown streets and losing two parking spaces at each corner. He said we are a small growing community that cares about each other and said this will stop in Sherwood with a

Walmart. He said he doesn't know if there's anything that we can do or that the elected officials want to do and said he doesn't have money for lawyers and believes as a community we can raise awareness and work together to stop this. He stated he supports big business and referenced Trader Joe's in the state of Washington and how they treat their employees in comparison to Walmart. He said he doesn't care about the people that shop at Walmart, he cares about what it does to a community and the people that come to live here. He stated he is not aware of the fill situation concerning the Council members and said if there is someone on the Council that has sold land, there is a conflict of interest.

Peter Sternkopf, 28288 SW Ladd Hill Road, Sherwood approached the Council and said he is the newly elected Sherwood High School PAC President, and works in the legal field, but is not an attorney. He said he has worked with a lot of large corporations and Walmart is the second largest corporation in America, with annual revenues of \$446,950,000,000, with profits over 15 billion. He said in the legal field a "conflict of interest" means, if there is a part of an action that you are involved in, a preceding, a court case, any of these types of activities, that you have a personal interest in, and there's a possibility that the decisions you make or that you influence other people to make a decision in, is a conflict of interest. He said attorney's, judges and city council's face it. He said in our opinion as a community, believing he speaks for a lot of people, this is a conflict of interest. He said Walmart is a brand of store people are not having great success with, and there's obviously an issue there. He said Walmart is not changing their image or how they do business, they are impacting communities in a negative way. He said the Oregon law is what it is and they will pay for some of the road expansion. He said he has lived here for 7 years, 5 years previously in Tigard and came to this community because it was very special. He said he has considered moving to another community that is special. He asked if a Walmart representative was present this evening and said this is who we need to address as a community. He said he believes there's some legal action or legal precedence with a possible conflict of interest that should be looked into and said people should be addressing Walmart as they have a better chance of keeping them from coming into our community. Mr. Sternkopf asked Mayor Middleton what opportunities he took to invite other big box stores into our community and asked if he spoke with Trader's Joe's or Wholefoods during his tenure.

Mayor Middleton replied the Council doesn't get involved at this level and doesn't respond to questions as they are taking in citizen comments. He said the Council does not get involved in the choosing of businesses.

Trish Goldstein, 18096 SW Handley Street, Sherwood approached the Council and said a lot of people feel that they have been sold out to a certain degree. She said speaking on behalf of herself and her family who has been severely impacted by Walmart. She shared a personal family experience about how Walmart treats their employees and said this is not the kind of company she would want any of her friends or family to work for. She stated the fact that they generate jobs is laughable. She stated she believes the frustration is not knowing who is moving in and as staff can't ask, rumors have been floating around. She said she moved to Sherwood in 2006 with five children, because it was a phenomenal place, she never locks her doors and leaves keys in her car and has never worried about it. She commented regarding snootiness in Sherwood and said people are concerned for the safety of their children. She said there is also concern that this is impacting so many people on so many levels and commented regarding the high impact to businesses. She spoke of the impact of Target and the expanding of their produce department and how Albertson's and Safeway had reductions in employees hours and layoffs. She commented regarding not knowing who the tenant is and changing this rule. She noted how much she pays in annual property taxes and said

she has a right to know what's coming into her community. She asked with Walmart coming, do they pay property taxes, where's the revenue, what does Sherwood gain from it and where is that money being earmarked for. She said we see the negative impact and asked what is the positive, and will there be one. She commented regarding having to lock up her child's bike and Walmart creating incidents with drawing more people in. She stated she did not think any of us are ignorant and said we all have the right to speak our mind.

Mayor Middleton called for a 10 minute recess at 8:10pm and reconvened at 8:20pm.

Lori Randel, 22710 SW Orcutt Place, Sherwood approached the Council and said she lives across from what will eventually be the housing for the Walmart employees, commented regarding lack of parking and Walmart employees not being able to afford cars. She said she is not in support of Walmart and referenced a comment in the newspaper that most people in Sherwood would approve of this. She said she will do everything in her power to find a way to stop Walmart from coming and if she does not, she will boycott Walmart and every other store in that mall, and hopes others will follow. She stated she thought Kohl's was a wonderful addition to Sherwood and would have welcomed Trader Joe's, with the two grocery stores we have a Trader's Joes would have been a compliment to what we have. Walmart is an addition, it's a third grocery store we don't need, a third everything we don't need. She said we all know of their sweatshop conditions and that their employees are paid nothing and receive public assistance in large numbers. She has been looking around Sherwood and noticed the Scrap Book store in going out of business and commented regarding the large number of vacant business spaces, and stated that Walmart will only make this worse. She commented regarding "No Parking" signs near her home, where the new apartments are being built and expressed concerns with lack of parking, and lack of parking for the current residents who can't park in front of their houses. She commented regarding Tualatin Sherwood and Langer and said it's going to make Willamette that much worse. She commented regarding the proposed restaurant she heard about and suspects they will be fast food and said she is the poster child for fast food and hopes there is never another fast food shop in Sherwood. She said she has lived in Sherwood for eighteen years and said when she was looking for a home, if she had seen Walmart she would have kept on going.

Patti Spreen, 20488 SW Lavender Place, Sherwood approached the Council and stated she heard of this last night via the Portland Tribune and thereafter the Sherwood Gazette. She said her outrage truly comes from the fact that this was a backdoor situation and a denial (referring to Councilor Langer) is unacceptable on behalf of the Sherwood residents. She stated it's not fair to the children or to the community. She said it's one thing to accept and try to move forward peacefully and make things work, but when we are left with a situation that we don't hear about, who the retailer is going to be, until three weeks before breaking ground. She stated June 24th, six weeks before ground breaking, and asked Mr. Langer if he is ok with this, she asked can he sleep at night.

Mayor Middleton asked Ms. Spreen to not make it personal and to address the entire Council.

Ms. Spreen stated it's very personal to her and the bottom line is.... the traffic....said this is not rocket science, we know what's going on in Sherwood with the traffic and parking. She stated as a family we choose Sherwood in 2004 from Tualatin, living there for 2.5 years. She commented in their decision to grow their family they moved to Sherwood, we have amazing schools and people and Walmart doesn't fit the Sherwood mold. She commented regarding sounding pretentious and commented regarding how much she spends annually in taxes and she thought she was restoring

old town and bringing growth to small businesses downtown. She said she was under the impression this was happening, she said we have amazing restaurants, stores and people filled with heart that want our town to grow. Ms. Spreen stated so many of our parks and roads are named after Langer and he's the one that sells out. Ms. Spreen apologized to Mr. Langer for making it personal and stated it truly is, and he has let down this community. Ms. Spreen addressed crime and said we have a big box store with Target, and Walmart will be next store. She commented regarding hearing that they are similar, and believes they are in many ways, but when it comes to crime they are not. She stated she and her children will have to watch over their shoulders, this is not right and this is not why I choose Sherwood, this is not why I pay \$5700 a year in property tax. She said we will need more police presence and asked who will pay for this, so Mr. Langer can walk away with his padded pockets. She commented regarding the carbon footprint and referenced the speaker from the refuge and said this is amazing, we are rated the 18th most livable City in the US, not any more.

Jennifer Harris, 21484 SW Roelich Avenue, Sherwood approached the Council and provided statistic that a survey showed 32 Walmart stores experienced 770 crime incidents in one year, while 30 Target stores in the same vicinities experienced 170 crime incidents. She said she can tell the Council that Walmart and Target are not the same, and how Walmart doesn't pay enough. She said she knows that most of the Council did not have a choice and they had to follow the rules. She stated several people have spoken to her off the record that they do not support a Walmart and referred to some of the elected officials. She said she has children in the community and agrees with what has been said by the community members, especially in regards to the children. She said she can show statistics and quotes from Walmart employees and the reason she is here is because we need to come together as a community and this was the biggest forum she could find to bring us together. She said she knows Walmart is who we have to fight and the Council can't do anything to help us except to join our fight. Ms. Harris commented regarding previous testimony about big boxes and said just because you can take advantage of someone, doesn't mean you should. She said we need a grassroots effort to fight the Langer's and fight Walmart and said Walmart has a history of pulling out when it gets too messy for them. She commented regarding everyone knowing about Walmart and it being public knowledge, commented regarding the hands of Council being tied, and about the decision being made before Mayor Middleton was on the Council. She said this is a small community with 18,000 people and there should be 10,000 here, not 100. She referenced a quote from Mr. Langer that there is a large group that is fine with Walmart, and believes there is a larger group that is not. She said we have to bring this group together and the Council is welcome to join them. She encouraged the audience and local businesses to come together. She said 1% of Walmart's income comes back to the community, with 99% going to Chicago. She said they don't keep it at our local banks or schools, they do what they need to do to pacify the 70 people that are here, she stated let's not be pacified.

Elizabeth Farnum, 16933 SW Cobblestone Drive, Sherwood approached the Council commented regarding the previous comments. She asked the Council what can be done to stop this and said she realizes the Council is not taking questions, but wants this on the record. She asked why would we zone for a very large store like this when we already have so many in our small town.

Brian Larson, 22813 SW Saunders Drive, Sherwood approached the Council and said originally when clarifying what's required in this process and hearing quotes of what's not require to be disclosed or planned. He referenced comments made by a council member that we did not know what it was, made reference to quotes that they aren't required to tell us. He commented regarding it meaning something to him, when failing to answer the question, this answers it for him. He

commented regarding what was done to notifying the public along the way, and the words "this was backdoored in" comes to mind. He said there are things you can do to let people know, if some of the suspects has been discussed more publically, he believes this audience turnout would have come a lot sooner, rather than people finding out yesterday. He said his opinion of the Council is you serve us and the City and in his view, this was not doing either. He said the conflict of interest has been discussed and at best you can say this is certainly not a case of full disclosure. He said at worst, you can say it's borderline fraudulent and said he believes from a legal standpoint it absolutely needs to be looked into. He said you have a desperate community here and believes we should exhaust all resources. He commented regarding playing by the rules and being investigated. Mr. Larson commented regarding the speaker from the Refuge and comments regarding the vision for Sherwood and all the things that fit with Sherwood and why we live here. He said this is an example of not that and said this doesn't fit with Sherwood's vision and said he is not sure who thought it did. He asked why the zoning was changed to begin with and said we don't need that, and this raises some questions. He said there's been lots of rumors about this and heard today that because of the zoning in this case and being part of the urban growth boundary, that there are stipulations with the tax revenue that we will supposedly receive from Walmart of whoever is in place there. He commented regarding tax breaks to Walmart, if any, and not knowing when or if that information becomes public. He said he heard because of the zoning there, those tax dollars cannot be used for our schools and public safety. He said this could be rumor, he doesn't know and believes the community would like to know the answer to this. Mr. Larson commented regarding previous comments heard from the Mayor about not getting involved in the process, it runs itself and there are limitations as to what you can do. He stated in his view based on what he has heard today, at least one of you was involved in the process and whether or not that should have been the case, this is a question everyone will want answered. He commented regarding there being more comments and ideas posted on the Gazette website.

Dawn Pastores, 17091 SW Cobblestone Drive, Sherwood approached the Council and stated she loves Sherwood and grew up in Aloha and remembers when Sherwood's McDonalds went in. She referenced the City's Mission Statement and said she is a business development consultant, a small business professional that likes to help small businesses, and said she doesn't know if this decision is living into the mission, which makes her question the leadership in general. She stated as someone who serves on different boards, she tries to take into consideration who she is serving, and said she appreciates the service the Council is providing, but, Walmart is a huge decision. She commented regarding the noticing requirements of noticing within 1000 feet of the building and said no one lives within 1000 feet of that area. She suggested going the extra mile on this would have been helpful. Ms. Pastores said Sherwood reminds her of Ashland Oregon and said they don't have big box stores, not even a McDonalds. She stated she is concerned for the small businesses in our community that make us special. She stated Walmart brings many services with them, including nail and hair salons, eye services, similar to Fred Meyer and stated for the record she would not have supported a Fred Meyer. She stated Sherwood has a lot to offer and part of our uniqueness is the fact that we support the citizens that live in this community through supporting their small businesses. She commented if the land was going to be developed it would have been nice to know which direction we were going to allow for this discussion. She commented regarding large companies who give profits, that would be services that are not competing with other services and adding and benefiting in other ways. She stated she doesn't know how Sherwood, with a population of 18,000 can support Walmart, Target and Kohl's and two grocery stores, this requires people coming from the outside. She stated when we bring people in, it brings opportunities for more things to happen. She

stated she will do what she needs to do, like was done in Hillsboro, to stop them from opening their doors in Sherwood.

Beth Cooke, 23598 SW McLoughlin Court, Sherwood approached the Council stated she is a new resident and moved here in 2011 and stated she is opposed to Walmart joining our community. She stated they have a well-documented history of one of the worst employers in the country, their employment practice are not even at a base level employer standard. She stated Sherwood can and should do better and feels it's not too late. She urged the Council to join the community and explore ways to protect businesses in Sherwood and local small employers. Those employers who support their employees by providing benefits, fair wages, earned sick leave, and affordable healthcare. She urged the Council to look at what this means to the workers of our community and to take action to protect small business employers.

Sarah Hagan, 22471 SW Murdock Road, Sherwood approached the Council and stated she can't add anything that hasn't already been said. She said they are first time homeowners and have struggled, married for nine years and when looking for a home, looked all over the area. She commented regarding they are committed to her being home to raise their children and said she is the Walmart demographic, but doesn't want it here. She stated her concerns are traffic and environment and said every Walmart she has seen is a 24 hours store. They allow overnight parking of RV's and motorhomes. She stated if this is 24 hour Walmart, this will mean increased traffic and said she doesn't know if there's zoning to consider and said if there are things that can be done to please do them. She stated this is the start of our community being aware. She stated she loves the Refuge and her property and a lot of the property around this property is part of the Refuge and she is concerned with the environmental impact. She said she is sure some studies have been done and suggested additional studies.

Josh Highberger, 22435 SW Nottingham Court, Sherwood approached the Council stated this is not personal and more from a business and community standpoint and targeted at Walmart. He said he has been a resident for 10 years and moved here for the small town family environment, low crime rate and great schools. He said his family history is in land development and construction and said he gets it, it's America, we can develop your property when great opportunities present themselves. He stated he heard about Walmart late last night and commented regarding google searches resulting in hundreds of sites opposing Walmart. He said he has lots of stats that he will not mention and said his big concern is not where Sherwood will be in one year, as much as where it will be in 10-15 years. He said he moved here for the long haul and his kids attend an awesome school, across from the building site. He said if he had issues with land development, he should have been here several years ago. He said he works for the Department of Corrections in an intake center and sees 400-500 inmates come through in a month and in sitting with those inmates he know the communities they come from, where they live and their environments. He said when looking at their demographics, it's not Sherwood, and we should be proud of that. He said we have something we should be proud of and this is why he moved here. He said his fear is as he moves out of this community and people come in because of what we offer, like low income jobs, and as we move into one big strip club, a Beaverton or Hillsboro style of living, where will we be in the long term. He said he wants to stay here and be proud. He said he supports development and opportunity and commented regarding small retailers benefiting from an anchor store. He said it's more of the data, crime rate, the cost of transportation and who will be supporting that. He said he struggles with Walmart and what it brings, as it's a low blow.

Dan Ettelstein, 23773 Scott Ridge Terrace, Sherwood approached the Council and said he appreciates the opportunity to voice his opinion. He said what's absent from this forum is information and dialog between the citizens and City management and asked how can we get a roundtable discussion on developments or situations that will impact the community. He said as citizens we know there will be in impacts on infrastructure and services and asked if there have been impact reports and asked how have they been revealed or put up for discussion with the citizens. He said those impacts will affect our tax dollars and it becomes a tax without representation. He said we don't have any say, we have 60 days before groundbreaking and this has the appearance of a backdoor deal. He said people have brought up discussion of a conflict of interest and it doesn't seem fair and doesn't seem like the Council is laying out and representing the thoughts and feelings of the community. He said he would like to hear how the citizens can have a dialog and as the Council can't answer that, maybe it can be printed. He said 60 days prior to groundbreaking doesn't seem like a fair deal.

Mayor Middleton stated he believes staff can come up with information on how the process works and will get this information to the public to allow for an understanding of the process. He stated the process is not something we try to hide.

Council Folsom asked the Mayor where can the public look for this information and how will it appear, in the Archer and then online? On the City website? Julia explained she heard what the Mayor was asking for as far as process, and said staff can post something on the City website explaining the planning process and offered to mail information to all those that testified.

Councilor Clark stated the mailing is a good idea, but citizens are looking for an answer, and suggested posing the question and providing an answer would be helpful to the public.

Councilor Folsom suggested the information be provided at the library.

City Manager Gall stated that staff can put some information together and make it available in a variety of ways, especially on the City website. He stated that staff is available to answer questions, and questions on process and legality should be directed to Community Development Director Julia Hajduk. He said questions on taxes could be directed to him or the Finance Director. Mr. Gall mentioned possibly holding public forums to answers citizen questions that may be more appropriate for staff rather than the elected officials.

Mayor Middleton offered his monthly column in the Archer to provide space for information explaining the process.

Councilor Folsom stated that she appreciates the comments and said this is democracy in action and America at its best.

Naomi Belov, 22741 SW Lincoln Street, Sherwood approached the Council and said she moved here about 1.5 years ago from Boston area and was impressed by Sherwood's website. She asked Councilor Langer as his family seems to be integrated in the community, to do all he can to make it a community that he can feel integrated in, in his relationships, personal and in business interactions. She commented regarding Walmart being terrible and encouraged everyone present to stay in touch and said there is a face book page called "keep Walmart out of Sherwood".

Mayor Middleton mentioned the Naomi Belov's children started the SOLV trash pickup program that has been very successful and thanked her children.

Lynn Snyder, 15085 SW Highpoint, Sherwood, approached the Council and said he has been a resident for 10 years and has served on the Parks and Recreation Board for 2-3 years and loves the community. He said what he likes about the community is how much we have invested in the community. He gave examples of a new park and cannery square, a new upcoming Cultural Arts Center. He said we passed a 100 million dollar bond in 2006 to pay for our schools and this is a big investment in our community with big dollars, that we have all contributed to with our time and property taxes, organizing and input. He commented regarding public safety, new and former police chiefs and new City Manager and putting a lot of resources into the community. He commented regarding 6 weeks from groundbreaking and the turnaround time and said you can't tell the impact just by the zoning. He commented regarding zoning in a particular way, with a Walmart, a Costco, a Trader Joe's or a bowling alley and all of these are significantly different impacts on the community. He said we don't have time to study that, not only do we not have time to study this in six weeks, how will it affect all of our investments, our schools, public safety which is already stretched. Mr. Snyder said not only do we not have time to study the impacts, who will pay for the study. Do we pay for that? Does Walmart? And do we have time to pay for that study? He asked is there a roundtable where we can have some give and take and have questions answered or at least propose questions that we would like a response from our elected officials who represent us tonight. He said we don't have time to get anything on a ballot and don't have any forum to discuss this, other than tonight. He asked the elected officials to come back to the community members who elected them and answer some of these questions and provide feedback on what can be done. He thanked Councilor Clark for her posting on face book regarding what was occurring tonight. He commented regarding the right to study the impacts as taxpayers as this is going to affect us, either in higher taxes or the services we will give up because the taxpayer dollars we are paying have to go towards public safety, now diverted away from parks other items. He said we will pay for it in one way or another and doesn't know how we will pay for that or what we will pay for.

Patricia Lyon, 15171 SW Ginkgo Court, Sherwood, approached the Council and said the Council knows the impact Walmart will have on a community. She stated she did not see anything on a traffic study, affects to traffic, what study was made, are there going to be new roads built, and if so, who will build them, those are tax-paying dollars. She commented regarding the difference between Target and Walmart and said if we spent more time helping our local businesses and not having to pay astronomical prices just to start a business in Sherwood, we would have a lot more small businesses and it's those small business dollars that go to the schools. They are the ones that just write a check instead of going through corporate and waiting 2-3 months to get \$5 per kid. She commented regarding hearing the rumors and thinking they are trying to fight it, and here it is. She said she will do everything in her marketing networking power to make sure this is stopped. She stated she will not pay extra taxes to clean up a parking lot instead of giving it to our kids who need the education. She stated our school funds were cut 1.8 million this year.

Kathy Michard-Tradd, 22136 SW Hall Street, Sherwood, approached the Council and said she has been a resident since 1978 and raised her family here and said she heard from her grown children and they will not be moving to Sherwood because of Walmart. She stated she doesn't shop box stores and lives a simple life and is concerned that people will not have that ability. She said she is concerned with the traffic that is being routed to 99, because supposedly Walmart is paying for that road and we will have another light on Sherwood Tualatin Road. She commented regarding who will

travel this way when you can come down the new Parkway, which goes by her street, near Oregon Street. She said she lives three houses from there and will never get out, they will not use 99. She commented regarding the refuge and that traffic. She said she was concerned with layoffs of local people that live here and have always lived here. She commented regarding an Albertson's employee already having their hours cut because of Target introducing produce. She is concerned about downtown and local businesses and people not coming downtown to spend money. She believes it was ridiculous that there was no public hearing, no information and the educational process on this project didn't happen earlier.

Brian Smith, 21037 SW Houston Drive, Sherwood, approached the Council and stated that he moved to Sherwood in 2006 for the family atmosphere, excited to move to Sherwood with it's small town feel where he grew up. He said he managed a small face book page called Sherwood Concerned Citizens and felt it would be a disservice to not show up and speak. He stated, last night after hearing about Walmart he made a quick post on face book and within 24 hours he had an increase in his following, overwhelming people are dissatisfied with Walmart coming to Sherwood. He said it is very important the Council take this into account with how they move forward in the next six weeks and how they publicize Walmart coming to Sherwood. He said so far things have been marketed seemingly in a positive light for Walmart. He commented regarding earlier comments regarding impact studies, and said there have been studies, a Harvard Review study that was done and overwhelmingly Walmarts have negatively impacted communities. He said it is shown that once a Walmart comes in, local businesses shut down and move on. He said the wages that Walmart pays is not going to help the economy of Sherwood or anywhere. He said it's very important the community comes together and the Council as leaders and the planning commission should do their part in partnering with the citizens on this.

Wendy Malcomson, 22424 SW Washington Street, Sherwood, approached the Council and said she grew up in a small town and moved to Sherwood a few months ago and was attracted by the sense of community and quaint small town feel. She said it is sad to her to hear about Walmart and commented regarding us all knowing about their background and what they do to a city, this is really distressing. She said there is a Walmart going into Tigard, and aside to whether Walmart is a good fit for Sherwood, she asked what is the necessity, with several big boxes already here. She thanked the Council for their service and said despite whatever regulator things prevent the Council from acting, they see that this is not a good choice for our community.

Mayor Middleton reminded everyone to leave their address or written comment if they would like to be on a mailing list to receive information.

Jacob Feenstra, 23933 SW Scott Ridge Terrace, Sherwood came forward and commented regarding his growing up and commented regarding the rules of not revealing who the big box was and said he can't imagine that someone, somewhere did not have the power and ability to sway that, or change that or make people more aware to have voices heard further or sooner in this process. He said the town he grew up in, has a big box store cap and doesn't know why we can't do that. He said he can't think of an upside, competition with Safeway, Albertson's, Home Depot, Les Schwab, he can't imagine that these retailers are not concerned. He commented regarding it being too bad the scrapbook store closing, he said as Council members and citizens we need to talk. Why not have a square foot cap? 45,000? 80,000? If we don't know what's coming in, it limits the Walmart's from coming. He said he thinks this needs to be considered and if we can change something now he is in favor and supportive. He commented about changes for the future, commented regarding the great

schools and teachers and hopes this continues and doesn't dwindle with a big box coming in. He commented regarding keeping Sherwood small and quaint and sitting down with the Council and citizens, talking about the cap and what's important to us as a community.

Terran Stuckey, 16506 SW Travis Court, Sherwood approached the Council and commented regarding hearing people say if you don't vote you don't have a say. She said she gets to vote and still didn't have a say and if she doesn't talk she can't say what she is feeling. She commented regarding missing time this evening from her family to be here. She said she is very upset with Walmart coming to town, across from a well-established Target store that her kids love. She said say hello to crime and traffic and goodbye to Sherwood's small town feel, goodbye to kids playing in the cul-de-sac and not getting hit by a car, goodbye sense of security. She said the worst thing Sherwood could have brought was a Walmart and asked what about a Dick's sports. She commented regarding our sports community, her kids and husbands involvement and said she was sad to see GI Joe's go. She said why not support our youth by putting in something that will help them and not hinder them. She said when they moved here, it was everything they wanted, schools, low crime, low traffic, close to both our jobs and they looked at Wilsonville and said maybe in six weeks we might go back to Wilsonville. They don't have a Walmart, they have a sense of community and pride and a school system that is close to ours and kids can play without the worry of getting hit by a car. She commented regarding concerns with crime, and said Sherwood is a community that comes together and commented regarding family, children, education and events. She said she moved from SE Portland and knows what Walmart feels like and moved because her kids needed and wanted more. She said she will not ever support Walmart.

Wade Anderson, 16513 SW Gleneagle Drive, Sherwood approached the Council and commented regarding the Walmart announcement and was concerned with the reference of the "Sherwood Town Center". He said as Council may be aware, near and dear to him, is the study around the Sherwood Town Center, Sherwood Blvd and Gleneagle area. He said he didn't think it was meant that way, but it seems cynical to call it Sherwood Town Center, when "this" is the town center, "Sherwood Town Center" should be reserved for downtown Sherwood. He commented regarding the Council having the power to make a name change. He commented regarding the prior statements regarding funding being given to the community and said he knows there could be a potential breach of contract, potential for lawsuits against the City, but there could be considerations that we could do, maybe a bond. He suggested talking with the citizens to change the zoning of that area, turning it into urban reserve, putting in a skate park, use it for some other use. He said the benefit you get there is, the family that committed the dollars that made the investment in the land, still has a chance to get those dollars. They will get the dollars they would have received from the developer, from Walmart, but instead from the citizens. He said these are suggestions and doesn't know the ramifications and realizes these are discussion should have occurred in 2005 and not tonight at the last moment. He said it's an option for this to stay as urban reserve and minimize traffic impacts.

Mayor Middleton thanked everyone for coming and bringing their concerns. He encouraged everyone to get involved and to read the website and the newsletter.

Councilor Folsom commented regarding Council previous discussions of blue light poles and stated that she testified before the City Council 10 years ago and was inspired to run for City Council. She informed the audience that three Council members ran unopposed last fall and said this is a good place to learn and take pride in citizenship. She stated she hopes she is a better citizen because she has learned about civics. She commented regarding appreciating how terrifying and emotional it may

have been and said she is very grateful and feels there are few things that are more important than being involved in your community and is what makes Sherwood great.

Councilor Butterfield stated the Council is committed to listen and encourages it and said once we hear what is said, they will seriously ponder it and try to come to some type of resolution. He said this is a commitment from him and knows the other Council members are committed as well.

Councilor Langer stated that he appreciated the input and discussion and understands the community concerns and said if he was in their shoes he probably would do the exact same thing. He said they worked on this for many years and tried to get different folks and would love to have a Trader Joes, but they are too small for that particular property and we have a spot picked out for them. He said they have tried to call Trader Joes for years and they won't return calls. He suggested putting together a face book page to bring Trader Joes to Sherwood. He stated that they have another 28-acre parcel south of this site they are already working on, and heard comments of retailers and said they are in the process to bring in some of the ones named. He said they have another 5-acre piece across the street. He commented regarding retailers seeing how strong of a community Sherwood is and they wanting to be here. He said we want to make sure it's a good responsible, well designed project. He commented that he heard from people involved, that they said in twenty three years they have never seen a Walmart like this and said he realizes the community doesn't have all the information and have not seen the design or architecture or landscaping and said this one is special and we have worked hard on it. He offered to speak one on one with anyone that is interested.

Mayor Middleton thanked Councilor Langer for his comments and stated he recognizes that this is an emotional issue, and thanked everyone for their civility.

Councilor Clark agreed with Councilor Folsom and said she appreciated people coming out and has her own personal feelings about the project and said the entire Council wants to hear what people have to say as we want to represent you. She said we also give up in order to be here. She commented regarding wanting to serve the public and has two kids at home tonight and pays a sitter for the privilege of serving the community. She said she can't say she disagrees with people coming forward and saying they don't want Walmart, and said she doesn't want them either. She commented regarding personal opinions and having to follow the codes and said she doesn't know if there is something that can be done. She said if there is something that can be done, she will light face book on it. She encouraged people to be part of the process and come to the meetings and said this is what makes Sherwood great, why she moved here and is willing to serve.

Mayor Middleton addressed the next item on the agenda.

9. NEW BUSINESS:

A. Resolution 2013-022 Authorizing the City Manager to Execute a Construction Contract for the Tonquin Employment Area Sanitary Upgrade Project

Engineer Associate Craig Christensen approached the Council and stated in November the property east of SW Oregon Street, south of SW Tualatin Sherwood Road was approved for future annexation and the sanitary sewer needs to be upgraded. He said, currently, there is a 10-inch and 8-inch sanitary sewer line that runs from Rock Creek, runs along southeast side of railroad tracks, and along

the south side of Tualatin Sherwood Road. The sewer will serve the industry on the south and north side of Tualatin Sherwood Road and the Tonquin employment area. He stated, however, this existing sewer line is not adequately sized and needs upgrading to accommodate the new industrial area. He said the 10-inch line will be upsized to a 15-inch line and the 8-inch line will be upsized to a 12-inch line. This will be done by pipe bursting and a trenching process. Craig stated the City has worked with the property owners on the south side of Tualatin Sherwood Road in developing the design plan. He said, after the construction of the project is complete the wetlands will be returned to their natural condition. He said this project went through an open bid process with the low bid from NW Kodiak Construction with a cost of \$698,491.97. An additional \$104,773.80 (15%) contingency is being requested to cover unforeseen construction issues.

Councilor Butterfield asked City Engineer Bob Galati what kind of contract the City will have with NW Kodiak. Mr. Galati stated that this is a standard construction contract with open bidding.

Councilor Butterfield asked if the City was the Engineering firm. Bob stated that the City would be the Engineering firm and said Craig did the design in house with peer review and said the contracts have gone through the City Attorney.

Mr. Galati informed the Council of an error in the Resolution and referenced the following language with the proposed amended language:

Current Language: *Whereas, the City has budgeted and will temporarily pay for the construction cost through City of Sherwood System Development Charges with 100 percent of the construction cost being reimbursed by Clean Water Services System Development Charges.*

He stated the resolution needs to state:

Proposed Language: *Whereas, the City has budgeted the full cost of the project and will be reimbursed approximately 60% of those project costs pursuant to an IGA being negotiated with the Clean Water Services.*

Mr. Galati informed the Council that it is standard to have a 60/40 split. He said when we upgrade projects, there is a certain size and limitation requirements that are the City's responsibility. He said, basically, Clean Water Services cost is 60 percent.

Mayor Middleton asked whether the Council would be voting on an amendment resolution. Mr. Galati said that is correct.

Council President Linda Henderson asked Mr. Galati to restate the new language that the Council would be voting on. Mr. Galati stated the language as:

WHEREAS, *the City has budgeted the full cost of the project and will be reimbursed approximately 60% of those project costs pursuant to an IGA being negotiated with the Clean Water Services.*

Mr. Galati provided the written amendment to Council President Henderson. City Recorder reminded the Council that if they are accepting of the language that Mr. Galati has presented, they need a motion and a second to amend the resolution, and a motion and a second to adopt the amended resolution, and the resolution may be amended based on Mr. Galati's comments.

With no further discussion, Mayor Middleton asked for a motion.

MOTION TO AMEND: FROM COUNCIL PRESIDENT LINDA HENDERSON TO AMEND RESOLUTION 2013-022 TO READ: Whereas, the City has budgeted the full cost of the project and will be reimbursed approximately 60% of those project costs pursuant to an IGA being negotiated with the Clean Water Services, SECONDED BY COUNCILOR ROBYN FOLSOM, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR DAVE GRANT WAS ABSENT).

Mayor Middleton asked for a motion to adopt the amended resolution.

MOTION TO ADOPT: FROM COUNCILOR ROBYN FOLSOM TO ADOPT RESOLUTION 2013-022 AS AMENDED, SECONDED BY COUNCIL PRESIDENT LINDA HENDERSON, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR DAVE GRANT WAS ABSENT).

Mayor Middleton addressed the next agenda item.

10. CITY MANAGER REPORT:

Mr. Gall reported on the budget process and stated that the Council will consider the budget at the June 4, 2013 meeting and reminded the public that there will be a public hearing. He stated the Council, by law, has to approve the budget by June 30, 2013.

Mayor Middleton addressed the next item on the agenda.

11. COUNCIL ANNOUNCEMENTS:

Councilor Folsom thanked the Budget Committee for their hard work during the budget process. She mentioned that Sherwood Foundation for the Arts is hosting an event called Altered Arts, which will take place at Veterans Park on June 1, from 10 am to 5 pm, with over 25 vendors. There will be art demonstrations, music and performances by the VPA choirs and potentially the school choirs. She mentioned that Sherwood Saturday Market is open for business at the new Cannery Square location.

Councilor Langer provided a YMCA update. Mr. Langer stated as of December 9, 2012, the YMCA had \$285,106 in funds for deferred maintenance. The following projects have been planned for 2013: painting in many areas, 16 more security cameras to add to the security system, new carpet on the main level, new ADA lift for the pool, a gym net divider, more basketball hoops, an ADA door for the Teen Center, a slide pump for the pool, new cardio equipment, and new signage for the facility. Mr. Langer reminded the public that the YMCA facility will shut down the week August 31 through September 8 to complete these projects, and the YMCA pool will be shut down for two weeks, August 24 through September 9.

Mayor Middleton thanked Mr. Langer for the update and reminded the Council members that serve as liaisons on Boards and Commissions to start bringing information to the Council meetings to share with the public.

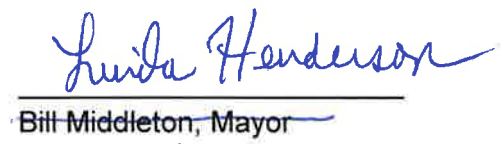
With no other announcements, Mayor Middleton adjourned the meeting and convened to a URA Board meeting.

12. ADJOURN:

Meeting adjourned at 9:45pm.

Submitted by:


Sylvia Murphy, CMC, City Recorder


~~Bill Middleton, Mayor~~
Linda Henderson
Council President